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EXAMINER

CAO, PHUONG THAO

ART UNIT

PAPER NUMBER

2164

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/623,755	<b>Applicant(s)</b> MOTOKI, WATARU	
	<b>Examiner</b> Phuong-Thao Cao	<b>Art Unit</b> 2164	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This office action is in response to Application filed on 07/21/2003.
2. Claims 1-9 are pending.
3. Foreign Priority was claimed and the certified foreign applications JP 2002-237619 (08/16/2002) was received and considered.
4. The drawings are objected to because they fail to show necessary textual labels of features or symbols in Fig. 1 as described in the specification. For example, placing a label, "controller", with element 1 of Fig. 1, would give the viewer necessary detail to fully understand this element at a glance. A descriptive textual label for each numbered element in these figures would be needed to better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be labeled in the drawing. Optionally, the applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.84(n)(o), recited below:

"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols which have a universally recognized conventional meaning and are generally accepted in the art. Other symbols which are not universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable.

(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office. They should contain as few words as possible."

***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 7-9 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 7-9 claim a program; since not stored, it is not tangibly embodied.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Sako (Publication No US 2002/0080918).

As to claim 1, Sako teaches:

“A medical image photographing system for photographing a medical image by selecting any one reader-types of medical image reading apparatus according to photographing reservation information and controlling the reader-type of medical image reading apparatus” (see [0024], [0050], [0059], and [0060] wherein each radiographic apparatus implies one reader-type of medical image reading apparatus as illustrated in Applicant’s claim language), the medical image photographing system comprising:

“a storage for storing photographing conditions which are combinations of reader-types of the plurality of medical image reading apparatuses and photographic parts, and process parameters related to the photographing conditions and used under the photographing conditions therein” (see [0060], [0065] and [0066] wherein each radiographic apparatus is equivalent to Applicant’s “medical image reading apparatus”, “FPD” and “CR” (Figure 6) are equivalent to Applicant’s “reader-types of the plurality of medical image reading apparatuses, radiographing method names as disclosed is equivalent to Applicant’s “photographic parts”, and a table held in management unit is equivalent to a storage for storing photographing conditions as illustrated in Applicant’s claim language; [0065] and [0066] disclose the parameter set storage unit to store radiographing parameter set where “radiographing parameter set” is equivalent to Applicant’s “process parameters”; also see [0049], [0050], and [0073]);

“an ordering section for ordering the photographing reservation information” (see [0053] where examination request information is equivalent to Applicant’s “photographing reservation information”);

“a reader-type detecting section for detecting at least one reader-type capable of photographing a photographic part by searching a photographing condition including the photographic part according to the photographing reservation information ordered by the ordering section from the storage” (see [0059], [0060] and Figure 6 wherein each radiographic apparatus implies Applicant’s “one reader-type”, radiographing method is equivalent to Applicant’s “photographic part”, and the disclosure of determining a radiographic apparatus to be used for radiographing using the table as disclosed implies the inclusion of a reader-type detecting section and is equivalent to detecting at least one reader-type capable of photographing as illustrated in Applicant’s claim language; also see [0054]);

“a reader-type selecting section for selecting a reader-type which is to be used for photographing among the at least one reader-type detected by the reader-type detecting section” (see [0024], [0061] for how a radiographing apparatus is selected where “radiographing apparatus” is equivalent to Applicant’s “reader-type”; also see Figure 13 and [0088]); and

“a photographing control section for controlling the photographing by loading a process parameter corresponding to the photographing condition which is a combination of the reader-type selected by the reader-type selecting section and the photographic part according to the photographing reservation information ordered by the ordering section from the storage” (see [0065] and [0066] wherein setup processing unit is equivalent to Applicant’s “photographing control section”, basic parameter is equivalent to Applicant’s “process parameter”, and the mention of radiographing method ID and radiographing direction is equivalent to the combination of reader-type and photographic part as illustrated in Applicant’s claim language (see [0060] and Figure 6)).

As to claim 2, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Sako teaches:

“further comprising a code storage for storing the photographic parts and photographic part codes related to the photographic parts and the reader-types of the plurality of medical image reading apparatus and reader-type codes related to the reader-type codes related to the reader-types (see [0060] and figure 6 wherein radiographing method names are equivalent to Applicant’s “photographic parts”, radiographing method IDs are equivalent to Applicant’s “photographic part codes”, radiographic apparatus column can be considered to be equivalent to Applicant’s “reader-types of the plurality of medical image reading apparatus” and “reader-type codes”),

“wherein the storage stores photographing conditions which is combinations of the reader-type codes and the photographic part codes stored in the code storage, and process parameters related to and used under the photographing conditions” (see [0060] wherein a table in management unit is equivalent to Applicant’s “code storage” and see [0065] wherein basic parameters are equivalent to Applicant’s “process parameters”), and

“the reader-type detecting section detect at least one reader-type capable of photographing the photographic part by searching a photographing condition including a photographic part code according to the photographing reservation information ordered by the ordering section from the storage” (see [0059], [0060] and Figure 6 wherein each radiographic apparatus implies Applicant’s “one reader-type”, radiographing method ID is equivalent to

Applicant's "photographic part code", and the disclosure of determining a radiographic apparatus to be used for radiographing using the table as disclosed implies detecting at least one reader-type capable of photographing the photographing part by searching photographing condition as illustrated in Applicant's claim language; also see [0053] and [0054]).

As to claim 3, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Sako teaches:

"reader-type displaying section for displaying discriminately the at least one reader-type detected by the reader-type detecting section" (see Figure 13 wherein items "STAND" and "LEI" are equivalent to Applicant's "reader-type" and the disclosure of such interface is equivalent to Applicant's "displaying section"),

"wherein the reader-type selecting section selects a reader-type which is to be used for photographing among the at least one reader-type discriminately displayed by the reader-type displaying section" (see Figure 13 wherein item "STAND" is selected to be used for photographing as illustrated in Applicant's claim language).

As to claim 4, Sako teaches:

"A medical image photographing method for photographing a medical image by selecting any one reader-types of medical image reading apparatus according to photographing reservation information and controlling the reader-type of medical image reading apparatus" (see [0024], [0050], [0059], and [0060] wherein each radiographic apparatus implies one reader-type of



medical image reading apparatus as illustrated in Applicant's claim language), the method comprising:

“storing photographing conditions which are combinations of reader-types of the plurality of medical image reading apparatuses and photographic parts, and process parameters related to the photographing conditions and used under the photographing conditions therein” (see [0060], [0065] and [0066] wherein each radiographic apparatus is equivalent to Applicant's “medical image reading apparatus”, “FPD” and “CR” (Figure 6) are equivalent to Applicant's “reader-types of the plurality of medical image reading apparatuses, radiographing method names as disclosed are equivalent to Applicant's “photographic parts”, and the disclosure of storing radiographic apparatus and radiographing method together in a table held in management unit is equivalent to storing photographing conditions as illustrated in Applicant's claim language; [0065] and [0066] disclose the parameter set storage unit to store radiographing parameter set where “radiographing parameter set” is equivalent to Applicant's “process parameters”; also see [0049], [0050], and [0073]);

“ordering the photographing reservation information” (see [0053] and [0054] where examination request information or examination order information is equivalent to Applicant's “photographing reservation information”);

“detecting at least one reader-type capable of photographing a photographic part by searching a photographing condition including the photographic part according to the photographing reservation information ordered among the photographing conditions stored” (see [0059], [0060] and Figure 6 wherein each radiographic apparatus implies Applicant's “one reader-type”, radiographing method is equivalent to Applicant's “photographic part”, and the

disclosure of determining a radiographic apparatus to be used for radiographing using the table as disclosed is equivalent to detecting at least one reader-type capable of photographing as illustrated in Applicant's claim language; also see [0054]);

“selecting a reader-type which is to be used for photographing among the at least one reader-type detected” (see [0024] and [0061] for how a radiographing apparatus is selected where “radiographing apparatus” is equivalent to Applicant's “reader-type”; also see Figure 13 and [0088]); and

“controlling the photographing by loading a stored process parameter corresponding to the photographing condition which is a combination of the reader-type selected and the photographic part according to the photographing reservation information ordered from the process parameters stored” (see [0065] and [0066] wherein setup processing unit controls the photographing by loading radiographing parameter set is equivalent to Applicant's claim language wherein radiographing parameter is equivalent to Applicant's “process parameter”, and the mention of radiographing method ID and radiographing direction is equivalent to the combination of reader-type and photographic part as illustrated in Applicant's claim language (see [0060] and Figure 6)).

As to claim 5, this claim is rejected based on arguments given above for rejected claim 4 and is similarly rejected including the following:

Sako teaches:

“further comprising storing the photographic parts and photographic part codes related to the photographic parts and the reader-types of the plurality of medical image reading apparatus

and reader-type codes related to the reader-type codes related to the reader-types” (see [0060] and figure 6 wherein radiographing method names are equivalent to Applicant’s “photographic parts”, radiographing method IDs are equivalent to Applicant’s “photographic part codes”, radiographic apparatus column can be considered to be equivalent to Applicant’s “reader-types of the plurality of medical image reading apparatus” and “reader-type codes”),

“wherein the storing photographing conditions which are combinations of the reader-type codes of the plurality of medical image reading apparatuses and photographic parts, and process parameters related to and used under the photographing conditions therein includes storing photographing conditions which are combinations of the reader-type codes stored and the photographic part codes stored, and process parameters related to and used under the photographing conditions” (see [0060] wherein the disclosure of a table in management unit storing radiographic apparatus, photographing method name and ID wherein radiographing method names are equivalent to Applicant’s “photographic parts”, radiographing method IDs are equivalent to Applicant’s “photographic part codes”, radiographic apparatus column can be considered to be equivalent to Applicant’s “reader-types of the plurality of medical image reading apparatus” and “reader-type codes”, is equivalent to Applicant’s claim language; see [0065] wherein basic parameters are equivalent to Applicant’s “process parameters”), and

“the detecting at least one reader-type capable of photographing the photographic part by searching a photographing condition including a photographic part according to the photographing reservation information ordered among the photographing conditions stored includes detecting at least one reader-type capable of photographing the photographic part by searching a photographing condition including a photographic part code according to the

photographing reservation information ordered by the ordering section among photographic part codes stored” (see [0059], [0060] and Figure 6 wherein each radiographic apparatus implies Applicant’s “one reader-type” and “reader-type code”, radiographing method ID is equivalent to Applicant’s “photographic part code”, and the disclosure of determining a radiographic apparatus to be used for radiographing using the table as disclosed implies detecting at least one reader-type capable of photographing the photographing part by searching photographing condition as illustrated in Applicant’s claim language; also see [0053] and [0054]).

As to claim 6, this claim is rejected based on arguments given above for rejected claim 4 and is similarly rejected including the following:

Sako teaches:

“displaying discriminately the at least one reader-type detected” (see Figure 13 wherein items “STAND” and “LEI” are equivalent to Applicant’s “reader-type” and the disclosure of such interface is equivalent to Applicant’s “displaying...”),

“wherein the selecting a reader-type which is to be used for photographing among the at least one reader-type discriminately displayed by the reader-type detected includes selecting a reader-type which is to be used for photographing among the at least one reader-type displayed” (see Figure 13 wherein item “STAND” (equivalent to Applicant’s “reader-type”) is selected to be used for photographing among several types detected as illustrated in Applicant’s claim language).

As to claim 7, Sako teaches:

“A program, when the program is loaded onto a computer for controlling a medical image photographing system for photographing a medical image by selecting any one reader-types of medical image reading apparatus among a plurality of reader-types of medical image reading apparatus according to photographing reservation information and controlling the reader-type of medical image reading apparatus” (see [0024], [0050], [0059], and [0060] wherein each radiographic apparatus implies one reader-type of medical image reading apparatus as illustrated in Applicant’s claim language), the program making the computer execute:

“storing photographing conditions which are combinations of reader-types of the plurality of medical image reading apparatuses and photographic parts, and process parameters related to the photographing conditions and used under the photographing conditions therein” (see [0060], [0065] and [0066] wherein each radiographic apparatus is equivalent to Applicant’s “medical image reading apparatus”, “FPD” and “CR” (Figure 6) are equivalent to Applicant’s “reader-types of the plurality of medical image reading apparatuses, radiographing method names as disclosed are equivalent to Applicant’s “photographic parts”, and the disclosure of storing radiographic apparatus and radiographing method together in a table held in management unit is equivalent to storing photographing conditions as illustrated in Applicant’s claim language; [0065] and [0066] disclose the parameter set storage unit to store radiographing parameter set where “radiographing parameter set” is equivalent to Applicant’s “process parameters”; also see [0049], [0050], and [0073]);

“ordering the photographing reservation information” (see [0053] and [0054] where examination request information or examination order information is equivalent to Applicant’s “photographing reservation information”);

“detecting at least one reader-type capable of photographing a photographic part by searching a photographing condition including the photographic part according to the photographing reservation information ordered among the photographing conditions stored” (see [0059], [0060] and Figure 6 wherein each radiographic apparatus implies Applicant’s “one reader-type”, radiographing method is equivalent to Applicant’s “photographic part”, and the disclosure of determining a radiographic apparatus to be used for radiographing using the table as disclosed is equivalent to detecting at least one reader-type capable of photographing as illustrated in Applicant’s claim language; also see [0054]);

“selecting a reader-type which is to be used for photographing among the at least one reader-type detected” (see [0024] and [0061] for how a radiographing apparatus is selected where “radiographing apparatus” is equivalent to Applicant’s “reader-type”; also see Figure 13 and [0088]); and

“controlling the photographing by loading a stored process parameter corresponding to the photographing condition which is a combination of the reader-type selected and the photographic part according to the photographing reservation information ordered from the process parameters stored” (see [0065] and [0066] wherein setup processing unit controls the photographing by loading radiographing parameter set is equivalent to Applicant’s claim language wherein radiographing parameter is equivalent to Applicant’s “process parameter”, and the mention of radiographing method ID and radiographing direction is equivalent to the combination of reader-type and photographic part as illustrated in Applicant’s claim language (see [0060] and Figure 6)).

As to claim 8, this claim is rejected based on arguments given above for rejected claim 7 and is similarly rejected including the following:

Sako teaches:

“storing the photographic parts and photographic part codes related to the photographic parts and the reader-types of the plurality of medical image reading apparatus and reader-type codes related to the reader-type codes related to the reader-types” (see [0060] and figure 6 wherein radiographing method names are equivalent to Applicant’s “photographic parts”, radiographing method IDs are equivalent to Applicant’s “photographic part codes”, radiographic apparatus column can be considered to be equivalent to Applicant’s “reader-types of the plurality of medical image reading apparatus” and “reader-type codes”),

“wherein the storing photographing conditions which are combinations of the reader-type codes of the plurality of medical image reading apparatuses and photographic parts, and process parameters related to and used under the photographing conditions therein includes storing photographing conditions which are combinations of the reader-type codes stored and the photographic part codes stored, and process parameters related to and used under the photographing conditions” (see [0060] wherein the disclosure of a table in management unit storing radiographic apparatus, photographing method name and ID wherein radiographing method names are equivalent to Applicant’s “photographic parts”, radiographing method IDs are equivalent to Applicant’s “photographic part codes”, radiographic apparatus column can be considered to be equivalent to Applicant’s “reader-types of the plurality of medical image reading apparatus” and “reader-type codes”, is equivalent to Applicant’s claim language; see [0065] wherein basic parameters are equivalent to Applicant’s “process parameters”), and

“the detecting at least one reader-type capable of photographing the photographic part by searching a photographing condition including a photographic part according to the photographing reservation information ordered among the photographing conditions stored includes detecting at least one reader-type capable of photographing the photographic part by searching a photographing condition including a photographic part code according to the photographing reservation information ordered by the ordering section among photographic part codes stored” (see [0059], [0060] and Figure 6 wherein each radiographic apparatus implies Applicant’s “one reader-type” and “reader-type code”, radiographing method ID is equivalent to Applicant’s “photographic part code”, and the disclosure of determining a radiographic apparatus to be used for radiographing using the table as disclosed implies detecting at least one reader-type capable of photographing the photographing part by searching photographing condition as illustrated in Applicant’s claim language; also see [0053] and [0054]).

As to claim 9, this claim is rejected based on arguments given above for rejected claim 7 and is similarly rejected including the following:

Sako teaches:

“displaying discriminately the at least one reader-type detected” (see Figure 13 wherein items “STAND” and “LEI” are equivalent to Applicant’s “reader-type” and the disclosure of such interface is equivalent to Applicant’s “displaying...”),

“wherein the selecting a reader-type which is to be used for photographing among the at least one reader-type discriminately displayed by the reader-type detected includes selecting a reader-type which is to be used for photographing among the at least one reader-type displayed”



(see Figure 13 wherein item “STAND” (equivalent to Applicant’s “reader-type”) is selected to be used for photographing among several types detected as illustrated in Applicant’s claim language).

9. The prior art made of record and not relied upon is considered pertinent to Applicant’s disclosure.

Takasawa (US Patent No 6,501,827) teaches an X-ray photographic apparatus including a standing position sensor panel and recumbent position panel served as reading apparatuses.

Nagatsuka et al. (Publication No US 2001/0011713) teach a medical image reading apparatus including a plurality of readers.

Takayanagi (US Patent No 5,027,274) teaches method and system for managing a process of image data acquired by a computed radiography technique.

Tamakoski et al. (Publication No US 2002/0063226) teach a network system includes a plurality of radiation-image reading apparatuses.

Akahori (Publication No US 2002/0141630) teaches a medical image apparatus can change an output image in accordance with photographing condition.

Pantone (US Patent No 3,962,807) teaches a X-ray film coded identification system.

Shoji (US Patent No 6,539,076) teaches a method and apparatus for photographing a radiation image.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong-Thao Cao whose telephone number is (571) 272-2735. The examiner can normally be reached on 8:30 AM - 5:00 PM (Mon - Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PTC

February 3, 2006

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